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PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 2017) MAKING  
APPROPRIATIONS FOR THE DEPARTMENT OF HOMELAND  
SECURITY FOR THE FISCAL YEAR ENDING SEPTEMBER 30,  
2012, AND FOR OTHER PURPOSES.

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May 31, 2011.—Referred to the House Calendar and ordered to be printed.

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MR. REED, from the Committee on Rules, submitted the following

R E P O R T

[To accompany H. Res. ]

The Committee on Rules, having had under consideration House Resolution\_\_\_\_, by a record vote of 9 to 3, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 2017, the Department of Homeland Security Appropriations Act, 2012, under an open rule. The resolution provides for one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. The resolution waives all points of order against consideration of the bill. The resolution waives points of order against provisions in the bill for failure to comply with clause 2 of rule XXI except for section 536. Under the Rules of the House the bill shall be read for amendment by paragraph. The resolution provides that the bill shall be considered for amendment under the five-minute rule. The resolution authorizes the Chair to accord priority in recognition to Members who have pre-printed their amendments in the *Congressional Record*. The resolution provides one motion to recommit with or without instructions.

The resolution further provides that H. Con. Res. 34, including the related 302(a) allocations printed in this report, shall have force and effect until a conference report on the concurrent resolution on the budget for fiscal year 2012 is adopted. The House adopted H. Con. Res. 34 on April 15,

2011, but the Senate has failed to pass a budget resolution. This language is necessary for the House to continue with its Constitutional responsibilities. Specifically:

Section 2(a) of the resolution provides that the House-passed budget resolution shall have force and effect until the adoption of a conference report on the budget resolution;

Section 2(b) of the resolution directs the Chairman of the House Budget Committee to update the budget resolution's discretionary outlay levels to reflect enactment of the FY 2011 full-year continuing resolution, which was enacted after the House passed the budget resolution; and

Section 2(c) of the resolution extends emergency designation authority for fiscal year 2011 appropriations bills.

#### EXPLANATION OF WAIVERS

The waiver of all points of order against consideration of the bill includes a waiver of the following:

Clause 4(c) of Rule XIII, which prohibits consideration of a general appropriations bill reported by the Committee on Appropriations from being considered in the House until the third calendar day on which printed hearings of the Committee on Appropriations thereon have been available.

Section 306 of the Budget Act of 1974, which prohibits the consideration of a bill dealing with any matter within the jurisdiction of the Committee on the Budget unless it is a bill or resolution which has been reported by the Committee on the Budget. The bill includes an emergency designation, which is within the jurisdiction of the House Budget Committee.

The waiver of clause 2 of Rule XXI, which prohibits unauthorized appropriations or legislative provisions in an appropriations bill, is necessary because the bill contains unauthorized appropriations and legislative provisions included in the bill. The waiver applies to all provisions in the bill except for section 536. At the request of the Chairman of Committee on Energy and Commerce, the Rules Committee did not provide a waiver of clause 2 of Rule XXI for section 536 of the bill. The provision reauthorizes the Department of Homeland Security's chemical plant security program. The Committee on Energy and Commerce has reported legislation to reauthorize the same program for seven years.

#### COMMITTEE VOTES

The results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

### Rules Committee Record Vote No. 99

Motion by Ms. Slaughter to amend the rule to make in order and provide the appropriate waivers for the following amendments to be separately considered: Amendment #1, offered by Rep. Price (NC), which would increase by \$460 million the amount of funding provided in the bill for firefighter assistance, bringing it up to the FY 2011 level, offset by designating as an emergency requirement \$460 million provided for the Disaster Relief Fund; and Amendment #2, offered by Rep. Price (NC), which would increase by \$850 million the amount of funding provided for FEMA state and local grant programs, offset by designating as an emergency requirement all funds provided above the President's budget request for the Disaster Relief Fund. Defeated: 3-9

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Nay	Ms. Slaughter.....	Yea
Ms. Foxx.....	Nay	Mr. McGovern.....	Yea
Mr. Bishop of Utah.....	Nay	Mr. Hastings of Florida.....	Yea
Mr. Woodall.....	Nay		
Mr. Nugent.....	Nay		
Mr. Scott of South Carolina...	Nay		
Mr. Webster.....	Nay		
Mr. Reed.....	Nay		
Mr. Dreier, Chairman.....	Nay		

### Rules Committee Record Vote No. 100

Motion by Mr. Sessions to report the open rule. Adopted: 9-3

Majority Members	Vote	Minority Members	Vote
Mr. Sessions.....	Yea	Ms. Slaughter.....	Nay
Ms. Foxx.....	Yea	Mr. McGovern.....	Nay
Mr. Bishop of Utah.....	Yea	Mr. Hastings of Florida.....	Nay
Mr. Woodall.....	Yea		
Mr. Nugent.....	Yea		
Mr. Scott of South Carolina...	Yea		
Mr. Webster.....	Yea		
Mr. Reed.....	Yea		
Mr. Dreier, Chairman.....	Yea		

**ALLOCATIONS UNDER SECTION 302(a) OF THE CONGRESSIONAL BUDGET ACT  
REFERRED TO IN SECTION 2(a) OF THE RESOLUTION**

**ALLOCATION OF SPENDING AUTHORITY  
TO HOUSE COMMITTEE ON APPROPRIATIONS**

(In millions of dollars)

			2012
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Discretionary Action	BA	1,019,402	
	OT	1,224,119	
Current Law Mandatory	BA	745,700	
	OT	734,871	

**ALLOCATIONS OF SPENDING AUTHORITY  
TO HOUSE COMMITTEES OTHER THAN APPROPRIATIONS**

(In millions of dollars)

				Total
		2012	2012-2021	
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Committee on Agriculture				
Current Law				
	BA	13,463		763,847
	OT	14,649		761,094
Resolution Change				
	BA	-2,315		-177,866
	OT	-2,228		-176,005
Total				
	BA	11,148		585,981
	OT	12,421		585,089

**ALLOCATIONS OF SPENDING AUTHORITY  
TO HOUSE COMMITTEES OTHER THAN APPROPRIATIONS**  
(In millions of dollars)

		Total
	2012	2012-2021
<b>Committee on Armed Services</b>		
Current Law		
BA	143,166	1,658,720
OT	139,128	1,653,112
Resolution Change		
BA	0	0
OT	0	0
Total		
BA	143,166	1,658,720
OT	139,128	1,653,112
<b>Committee on Education and the Workforce</b>		
Current Law		
BA	-8,122	58,384
OT	-3,382	66,620
Resolution Change		
BA	-4,994	-149,437
OT	-2,522	-133,808
Total		
BA	-13,116	-91,053
OT	-5,904	-67,188
<b>Committee on Energy and Commerce</b>		
Current Law		
BA	318,581	4,545,941
OT	315,089	4,512,317
Resolution Change		
BA	-698	-1,365,771
OT	-1,207	-1,366,350
Total		
BA	317,883	3,180,170
OT	313,882	3,145,967

**ALLOCATIONS OF SPENDING AUTHORITY  
TO HOUSE COMMITTEES OTHER THAN APPROPRIATIONS**  
(In millions of dollars)

		Total
	2012	2012-2021
<b>Committee on Financial Services</b>		
Current Law		
BA	28,378	140,008
OT	29,475	-26,268
Resolution Change		
BA	-5,986	-66,359
OT	-6,485	-67,488
Total		
BA	22,392	73,649
OT	22,990	-93,756
<b>Committee on Foreign Affairs</b>		
Current Law		
BA	33,593	242,023
OT	27,088	248,438
Resolution Change		
BA	0	0
OT	0	0
Total		
BA	33,593	242,023
OT	27,088	248,438
<b>Committee on Homeland Security</b>		
Current Law		
BA	1,630	18,660
OT	1,555	18,512
Resolution Change		
BA	-1,900	-16,600
OT	-1,900	-14,100
Total		
BA	-270	2,060
OT	-345	4,412

**ALLOCATIONS OF SPENDING AUTHORITY  
TO HOUSE COMMITTEES OTHER THAN APPROPRIATIONS**  
(In millions of dollars)

		Total
	2012	2012-2021
<b>Committee on House Administration</b>		
Current Law		
BA	47	447
OT	220	642
Resolution Change		
BA	0	0
OT	0	0
Total		
BA	47	447
OT	220	642
<b>Committee on the Judiciary</b>		
Current Law		
BA	14,347	85,614
OT	10,090	87,416
Resolution Change		
BA	-387	-48,087
OT	-1	-47,701
Total		
BA	13,960	37,527
OT	10,089	39,715
<b>Committee on Natural Resources</b>		
Current Law		
BA	5,984	61,750
OT	6,360	65,364
Resolution Change		
BA	-239	-10,735
OT	-190	-10,472
Total		
BA	5,745	51,015
OT	6,170	54,892



**ALLOCATIONS OF SPENDING AUTHORITY  
TO HOUSE COMMITTEES OTHER THAN APPROPRIATIONS**  
(In millions of dollars)

		2012	Total 2012-2021
<b>Committee on Oversight and Government Reform</b>			
Current Law			
	BA	97,476	1,134,959
	OT	93,906	1,090,281
Resolution Change			
	BA	-8,102	-153,145
	OT	-8,275	-153,302
Total			
	BA	89,374	981,814
	OT	85,631	936,979
<b>Committee on Science and Technology</b>			
Current Law			
	BA	120	1,254
	OT	124	1,261
Resolution Change			
	BA	0	0
	OT	0	0
Total			
	BA	120	1,254
	OT	124	1,261
<b>Committee on Small Business</b>			
Current Law			
	BA	0	0
	OT	0	0
Resolution Change			
	BA	0	0
	OT	0	0
Total			
	BA	0	0
	OT	0	0

**ALLOCATIONS OF SPENDING AUTHORITY  
TO HOUSE COMMITTEES OTHER THAN APPROPRIATIONS**  
(In millions of dollars)

		Total
	2012	2012-2021
<b>Committee on Transportation and Infrastructure</b>		
Current Law		
BA	71,836	735,046
OT	16,234	178,408
Resolution Change		
BA	-17,250	-132,784
OT	-122	-4,396
Total		
BA	54,586	602,262
OT	16,112	174,012
<b>Committee on Veterans Affairs</b>		
Current Law		
BA	1,579	56,174
OT	1,683	57,739
Resolution Change		
BA	0	0
OT	0	0
Total		
BA	1,579	56,174
OT	1,683	57,739
<b>Committee on Ways and Means</b>		
Current Law		
BA	1,038,905	14,297,671
OT	1,039,300	14,298,563
Resolution Change		
BA	-7,903	-1,115,884
OT	-7,766	-1,116,113
Total		
BA	1,031,002	13,181,787
OT	1,031,534	13,182,450